

**IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF ARIZONA**

**IN RE: BARD IVC FILTERS**

**MDL NO. 2641**

**PRODUCTS LIABILITY LITIGATION**

**JUDGE DAVID G. CAMPBELL**

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**This Document Relates to:**

**HOPKINS v. C.R. BARD, INC., and BARD PERIPHERAL VASCULAR, INC.**

**Civil Action No 2:18-cv-04065-DGC**

**MOTION TO SUBSTITUTE PARTY AND FOR LEAVE  
TO AMEND SHORT FORM COMPLAINT**

Counsel for Plaintiff, Sheila Hopkins respectfully move this Court to substitute Terrance Goff, as the Personal Representative for the Estate of Sheila Hopkins, Deceased, pursuant to Rule 25(a)(1) of the Federal Rules of Civil Procedure, and to file an Amended Complaint Pursuant to Federal Rule of Civil Procedure 15(a)(2).

1. Plaintiff Sheila Hopkins's case was filed on or about November 14, 2018 (HOPKINS v. C.R. BARD, INC. AND BARD PERIPHERAL VASCULAR, INC.; Case No. 2:18-cv-04065-DGC)
2. All active Defendants have been served with process pursuant to Second Amended Case Management Order No. 4 (CMO 4).

- a. On or about November 30, 2018, Defendant C.R. Bard, Inc. and Bard Peripheral Vascular, Inc. were served via electronic mail with the Complaint and waiver of service.
3. On or about July 8, 2019 Plaintiff's counsel was informed that Sheila Hopkins passed away on July 4, 2019.
4. Plaintiff's Counsel filed the Notice and Suggestion of Death on or about August 01, 2019. [Doc. 19818].
5. On or about July 15, 2019, the State of South Carolina, County of Charleston named Terrance Goff as the Personal Representative for the Estate of Sheila Hopkins.
6. Plaintiff thus moves to substitute Terrance Goff, as Personal Representative for the Estate of Sheila Hopkins, Deceased, as Plaintiff in the present action.
7. Additionally, Counsel seeks to amend the Complaint, as well as the caption of the Complaint to correct the proper Plaintiff (specifically Terrance Goff, as Personal Representative for the Estate of Sheila Hopkins, Deceased) and to update and include information, allegations and actions within the Complaint to reflect that Plaintiff Sheila Hopkins is now deceased.
8. Pursuant to Federal Rules of Civil Procedure 15(a)(2) a party may amend its pleading only with the opposing party's written consent or the court's leave.

WHEREFORE, Counsel for Plaintiff, Sheila Hopkins and Terrance Goff, respectfully request the Court grant Plaintiff's Motion to Substitute Terrance Goff as Personal Representative for the Estate of Sheila Hopkins, Deceased, and to grant leave to file the

Amended Complaint and directing the Clerk of the Court to enter the Amended Complaint, attached hereto, into the record of this matter.

Dated: August 01, 2019

Respectfully submitted,

By: /s/ Willard J. Moody  
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ATTORNEYS FOR THE PLAINTIFFS

I hereby certify that on August 1, 2019 I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all attorneys of record.

/s/ Willard J. Moody, Jr.